

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF PROFESSIONAL LICENSING
BOARD OF OSTEOPATHIC MEDICINE AND SURGERY
DISCIPLINARY SUBCOMMITTEE

In the Matter of

WILLIAM D. STRAMPEL, D.O.

License No. 51-01-014110

Complaint No. 51-18-150101

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ADMINISTRATIVE COMPLAINT

Attorney General Bill Schuette, through Assistant Attorneys General Michelle M. Brya, Joshua O. Booth, and Bridget K. Smith, on behalf of the Department of Licensing & Regulatory Affairs, Bureau of Professional Licensing (Complainant), files this complaint against William D. Strampel, D.O. (Respondent), alleging upon information and belief as follows:

1. The Board of Osteopathic Medicine and Surgery, an administrative agency established by the Public Health Code, 1978 PA 368, as amended, MCL 333.1101 *et seq*, is empowered to discipline licensees under the Code through its Disciplinary Subcommittee (DSC).

2. Respondent is licensed to practice medicine as an osteopathic physician pursuant to the Code. From 2002 until 2018, Respondent served as the Dean of the Michigan State University College of Osteopathic Medicine (College). The office of the dean is statutorily created and must be “headed by an osteopathic

physician. . . .” MCL 290.661. In his role as dean, Respondent was “responsible for the development and maintenance of the school in osteopathic medicine.”

3. Section 16221(a) of the Code provides the DSC with authority to take disciplinary action against a licensee for a violation of general duty, consisting of negligence or failure to exercise due care, including negligent delegation to, or supervision of, employees or other individuals, whether or not injury results, or any conduct, practice, or condition that impairs, or may impair, the ability to safely and skillfully practice as an osteopathic physician.

4. Section 16221(b)(i) of the Code authorizes the DSC to take disciplinary action against Respondent for incompetence, which is defined in section 16106(1) of the Code as a “departure from, or failure to conform to, minimal standards of acceptable and prevailing practice for a health profession, whether or not actual injury to an individual occurs.”

5. Section 16221(b)(vi) of the Code provides the DSC with authority to take disciplinary action against a licensee for lack of good moral character, defined in section 1 of 1974 PA 381, as amended; MCL 338.41 *et seq*, as the “propensity on the part of the person to serve the public in the licensed area in a fair, honest and open manner.”

6. Section 16221(h) of the Code provides the DSC with authority to take disciplinary action against a licensee for aiding or abetting in a violation of this article or of a rule promulgated under this article.

7. Section 16221(i) of the Public Health Code provides the DSC with authority to take disciplinary action against a licensee for failure to report under section 16222(1) or 16223 of the Code.

8. Section 16222(1) of the Code provides that a licensee who has knowledge that another licensee has committed a violation under section 16221, article 7, or article 8, of the Code “shall report the conduct and the name of the subject of the report to the Department.”

9. Section 16226 of the Code authorizes the DSC to impose sanctions against persons licensed by the Board if, after opportunity for a hearing, the DSC determines that a licensee violated one or more of the subdivisions contained in section 16221 of the Code.

ALLEGATIONS

Abuse of Authority

10. During his time as dean, Respondent used his position of authority to harass, discriminate, demean, sexually proposition, and sexually assault female students. Respondent also abused his authority, through threats and manipulation to solicit, receive, and possess pornographic images of women who appeared to be MSU students.

Student 1

11. In June 2017, Respondent met with Student 1 (S-1) (numbers used to protect identity) to discuss her score on a recent exam. During the meeting, Respondent made comments that were sexual in nature, including discussing the

difficulties in sending and receiving nude photos and the benefits to a 26-year-old woman in having sex with an older man. S-1 was 26 at the time of the conversation and believed that Respondent was requesting or suggesting sexual activity in exchange for consideration relative to her education at the College.

Student 2

12. In 2011, S-2 met with Respondent to discuss the fact she had nearly fallen asleep in class. Respondent made her turn around in front of him so that he could observe her body before making derogatory comments about her appearance, including suggesting that she start dressing sexier if she wanted to make it in the medical field.

13. In 2013, S-2 met with Respondent to discuss her residency. Respondent again asked her to turn around to allow him to see her body and made additional derogatory comments about women.

14. In 2014, S-2 attended a dinner honoring scholarship recipients. During the dinner S-2 was asked to take a photograph with the scholarship donor and Respondent, who was attending the dinner in his role as dean. While S-2 was standing next to Respondent waiting for the picture to be taken, Respondent reached around and grabbed her buttocks.

Student 3

15. In 2014, S-3 went to Respondent's office to discuss the possibility of re-taking an exam. When she entered his office, he looked her up and down several times in a way that made her feel uncomfortable. Respondent then agreed to allow

her to retake the exam if she signed a contract stating she would leave the College if she failed any other exam going forward.

16. S-3 subsequently failed another exam. When she met with Respondent again, he suggested she may not have the ability to pass the exam or pursue certain careers, noting that she was not “gonna be the centerfold of the year in *Penthouse* magazine.”

17. Respondent indicated that he would consider allowing S-3 to take a remediation exam but if he did he was “gonna own [her],” advising that he would “own [her] for two or three years, [and] can have anything [he] wants. That’s how it works.” S-3 believed Respondent was requesting or suggesting sexual activity in exchange for consideration relative to her education at the College.

Student 4

18. In approximately 2006, Respondent was talking to S-4 while they were working at a flu clinic. During the conversation, Respondent advised S-4 that it was easy to get women drunk and that it was good when they were drunk because it was easy to have sex with them.

19. In February 2010, S-4 attended the College’s annual ball. During the ball, Respondent came up behind S-4 and grabbed her buttocks.

Student 5

20. In 2005, Respondent utilized S-5, a nursing student at the time, as a model for his first-year physical examinations course. During the examination, which included a pelvic and breast examination, Respondent looked S-5 up and

down in a manner unnecessary for examination purposes, which S-5 interpreted as sexual. Following the examination, Respondent paid S-5 \$200 cash from his wallet.

Student 6

21. In 2009, S-6 contacted Respondent about admission to the College. Respondent offered to interview her in person at a hotel bar during a conference in Las Vegas, where S-6 was an undergraduate student.

22. When Respondent and S-6 met at the hotel bar, Respondent immediately offered her a drink. Respondent proceeded to make sexual innuendos and tell S-6 suggestive stories throughout the meeting, including stories about using fully nude models for examination classes.

23. S-6 was uncomfortable with Respondent's lack of professionalism during the meeting and ultimately chose not to attend MSU for medical school because of it.

24. Subsequently, S-6 told her advisor at the University of Nevada, Las Vegas about Respondent's conduct. Her advisor reported Respondent's conduct to the American Osteopathic Association. The AOA contacted MSU, and staff advised the AOA they were not surprised, as that was just the way Respondent acted.

Student 7

25. S-7 was a medical student at the College from approximately 2008 until her graduation in 2012.

26. S-7 became pregnant shortly before her residency program was set to begin. S-7 emailed Respondent asking if she could talk to him about her residency

program in light of her pregnancy. Respondent agreed to meet with S-7 but advised her to wear a low cut shirt to the meeting. S-7 met with Respondent, but chose not to wear a low cut shirt. During the meeting, Respondent yelled at her for getting pregnant while she was a medical student.

27. S-7 agreed to meet with Respondent a second time regarding her request to be assigned a residency program closer to home so that she would be closer to her husband and baby. S-7 advised Respondent she planned to bring her husband with her to this meeting. Although Respondent suggested it was in her best interest to attend the meeting alone, S-7 still brought her husband to meet with Respondent. During the meeting, Respondent openly discussed his sex life with the couple and again chided them for getting pregnant while S-7 was in school.

28. Ultimately, Respondent denied S-7's request for a Lansing-area residency and she was initially assigned to Detroit. Due to unrelated circumstances, she was ultimately able to move to a residency in Lansing that was abandoned by another student.

29. Shortly thereafter, during a school-wide conference that was televised to all three campuses, Respondent made comments to the student body that he was the father of S-7's unborn child even though he was not.

30. At the College's graduation ceremony, while S-7 was shaking Respondent's hand, Respondent commented on S-7's high heel shoes and told her that her legs were "looking hot." Because she did not want to jeopardize her medical career, S-7 did not report these incidents.

Forensic Examination

31. On February 2, 2018, pursuant to a search warrant, the Department of Attorney General's Special Agent Investigators seized a computer from Respondent's office on campus.

32. Forensic examination of that computer uncovered approximately 50 photos of nude or partially nude women, sex toys and pornography. Many photos appeared to be female MSU students and appeared to be taken by the women in the photos. This is consistent with complaints that Respondent had solicited nude photos from at least one female medical student.

33. The forensic examination also revealed a video of former MSU Sports Medicine doctor Lawrence Nassar performing a vaginal procedure on a young female patient. Nassar has been convicted of multiple counts of criminal sexual conduct for performing this procedure under the guise of medical treatment.

34. Receipt and possession of this type of graphic material violates the Acceptable Use Policy for MSU Information Technology Resources.

Supervision of the MSU Sports Medicine Clinic

35. As Dean of the College, Respondent had direct supervisory authority over the MSU Sports Medicine Clinic. During that time, Nassar was a licensed doctor of osteopathic medicine, as well as a faculty member and clinician at the clinic. In 2018, the DSC permanently revoked Nassar's osteopathic license based, in part, on his convictions from criminal sexual conduct involving patients of the Clinic.

36. In April 2014, a female patient reported that Nassar engaged in inappropriate sexual conduct during a treatment session at the MSU clinic. The MSU Office of Institutional Equity (OIE) opened a Title IX investigation into the complaint.

37. Initially, Respondent prohibited Nassar from seeing patients during the pendency of the Title IX investigation. However, on June 30, 2014, nearly a month before the investigation concluded, Respondent gave Nassar permission to return to seeing patients as long as he had “someone in the room with [him] at all times until the report is finished.”

38. On July 28, 2014, OIE emailed Respondent the final Title IX report. The report concluded, among other things, that Nassar’s failure to adequately explain sensitive procedures was opening the practice up to liability and “exposing patients to unnecessary trauma based on the possibility of perceived inappropriate sexual misconduct.”

39. Subsequent investigation revealed that Nassar assaulted at least four female patients between the time that Respondent allowed him to return to practice and the time the Title IX report was released.

40. Following receipt of the report, Respondent purported to implement treatment protocols for Nassar to follow that were designed to protect patients and the Clinic.

41. On July 30, 2014, Respondent emailed Nassar confirming these protocols in writing. According to his email, Respondent and Nassar had agreed to the following:

- Having another person (resident, nurse, etc.) in the room whenever approaching a patient to perform procedures close to a sensitive area.
- The procedure that led to the complaint would be modified to be sure that there is little to no skin-to-skin contact when in “these regions.” Should the procedure be absolutely necessary, the procedure would be explained in detail with another person in the room for both the explanation and the procedure.
- New people in the practice will be oriented to be sure they understand these requirements.

42. Respondent sent the same email to the Title IX office, indicating he would enforce such protocols on Nassar.

43. Despite these representations, Respondent did not enforce or monitor these protocols, nor did he alert other Clinic employees about the existence of the protocols or their applicability to Nassar.

44. Following the Title IX investigation, and his conversations with Respondent, Nassar continued “treating” numerous patients without oversight. As a result, Nassar was able to commit sexual assault against multiple additional patients in violation of both the Public Health Code and the Michigan Penal Code.

45. Respondent failed to notify Complainant of Nassar’s conduct when he became aware of the 2014 allegation.

46. Respondent fired Nassar in 2016. During a subsequent meeting about an unrelated sexual assault, Respondent stated that “patients lie to get doctors in

trouble” and he did not believe the accusations against Nassar. He also stated that he did not want to fire Nassar.

Criminal Charges

47. On March 27, 2018, the Department of Attorney General filed charges against Respondent in the Ingham County Circuit Court. Specifically, Respondent was charged with Misconduct of a Public Official, a felony, Criminal Sexual Conduct-4th Degree, a high court misdemeanor, and two counts of Public Officer-Willful Neglect of Duty, a misdemeanor.

48. These charges stem from the conduct outlined above.

COUNT I

49. Respondent’s conduct as described in paragraphs 11 through 46 constitutes negligence and failure to exercise due care, including negligent delegation to, or supervision of employees in violation of section 16221(a) of the Code.

COUNT II

50. Respondent’s conduct as described above in paragraphs 11 through 46 constitutes incompetence in violation of Section 16221(b)(i) of the Code.

COUNT III

51. Respondent’s conduct as described above in paragraphs 11 through 46 constitutes a lack of good moral character in violation of section 16221(b)(vi) of the Code.

COUNT IV

52. Respondent's conduct as described above in paragraphs 36 through 46 constitutes aiding or abetting Nassar in a violation of the Public Health Code in violation of section 16221(h) of the Code.

COUNT V

53. Respondent's conduct as described above in paragraphs 36 through 46 constitutes knowledge that another licensee has committed a violation under section 16221 and failure to report that conduct as required by section 16222(1) in violation of section 16221(i) of the Code.

THEREFORE, Complainant requests that this Complaint be served upon Respondent and that Respondent be offered an opportunity to show compliance with all lawful requirements for retention of the aforesaid license. If compliance is not shown, Complainant further requests that formal proceedings be commenced pursuant to the Public Health Code, rules promulgated pursuant to it, and the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCL 24.201 *et seq.*

RESPONDENT IS HEREBY NOTIFIED that, pursuant to section 16231(8) of the Public Health Code, Respondent has 30 days from the receipt of this Complaint to submit a written response to the allegations contained in it. The written response shall be submitted to the Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, P.O. Box 30670, Lansing, Michigan, 48909, with a copy to the undersigned Assistant Attorneys General. Further, pursuant to section

16231(9), failure to submit a written response within 30 days shall be treated as an admission of the allegations contained in the complaint and shall result in the transmittal of the complaint directly to the Board's Disciplinary Subcommittee for imposition of an appropriate sanction.

Respectfully submitted,

BILL SCHUETTE
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